

BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE K.JOHN MATHEW
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE R.BHASKARAN
(RETD.JUDGE, HIGH COURT OF KERALA)

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Mat.Appeal.No. 109 of 2003()

AGAINST THE JUDGEMENT IN OP.31042/2000 Dated 04/08/2003
OS.416/1999 of FAMILY COURT,TRIVANDRUM
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APPELLANT/PETITIONER.

GANGADHARAN, KUZHINJANVILA VEEDU,
ATHEMCODE, MANGAD PO, KANNYAKUMARI DISTRICT.

BY ADV. SRI.V.P.K.PANICKER
SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.SREELEKHA PUTHALATH

RESPONDENT/RESPONDENT.

PRINCY, MANOHARA MANDIRAM,
DHANUVACHAPURAM, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.V.N.ACHUTHA KURUP (SR.)

THIS MATRIMONIAL APPEAL HAVING COME UP FOR DETERMINATION
AT THE LOK ADALATH ALONG WITH M.A. NO.128 OF 2003 AND THE PARTIES
HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN
TERMS OF THE SETTLEMENT:

**K.JOHN MATHEW (RETD. JUDGE) &
R.BHASKARAN (RETD. JUDGE)**

MAT. APPEAL Nos. 109 OF 2003 & 128 OF 2003

Dated this the 12th day of April, 2007

AWARD

K.JOHN MATHEW (Rtd. Judge)

The parties have settled both appeals on the following terms:

In Mat. Appeal No.109/2003, the appellant-petitioner(husband) is today paying Rs.2 Lakhs (Rupees Two Lakhs only) by D.D. No.248409 dated 10-4-2007 on the Indian Bank, Thiruvananthapuram to the wife (respondent) in full settlement of all her claims. The husband and wife have filed a joint petition under Section 10A of the Indian Divorce Act agreeing for divorce. Execution in O.S.No.416 of 1999 for maintenance is pending in the Family Court, Thiruvananthapuram. The father has already paid the maintenance of the minor son up to 4th October, 2004. Today father is paying the balance amount of maintenance of Rs.16,000/- up to the date of son attaining majority namely February 15, 2006. The son will withdraw the execution petition in that O.S. By order dated 2.4.2004 in Mat. Appeal No.109/2003 the High Court had

directed the appellant(husband) to deposit Rs.5,000/- and permitted the wife to withdraw that amount towards expenses. Rs.5,000/- was deposited on 3.5.2004. The wife is allowed to withdraw the said amount.

In view of the fact that parties are residing separately for more than 2 years namely, 1997 on wards and they have not been able to live together and they have mutually agreed that the marriage should be dissolved, the marriage between appellant Gangadharan and respondent Princy is dissolved and Mat. Appeals are disposed of as settled.

K.JOHN MATHEW
(RETD. JUDGE)

R.BHASKARAN
(RETD. JUDGE)